

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TOYAN FOLAMI,

Plaintiff,

No. C 12-03474 JSW

v.

INTERNAL REVENUE SERVICE,

Defendant.

**ORDER CONTINUING CASE
MANAGEMENT CONFERENCE,
CONTINUING HEARING AND
SETTING BRIEFING SCHEDULE
ON MOTION TO DISMISS**

The parties are scheduled to attend a case management conference on November 9, 2012 at 1:30 p.m. and to attend a hearing on the Defendant's pending motion to dismiss on December 14, 2012 at 9:00 a.m. The Court has not received a separate case management statement from Plaintiff nor has it received Plaintiff's opposition to the pending motion to dismiss.

In order to accommodate the Court's calendar and to provide notice to Plaintiff, who is proceeding *pro se*, the Court rules as follows:

- (1) the case management conference set for November 9, 2012 is VACATED and shall be reset by further order, if necessary;
- (2) the hearing on Defendant's pending motion to dismiss shall be CONTINUED to Friday, February 8, 2013 at 9:00 a.m.;
- (3) the opposition to the pending motion to dismiss shall be filed by Plaintiff no later than **November 30, 2012**. Plaintiff is admonished that failure to file a timely response to the motion may result in **dismissal** of this action.

(4) the reply to the pending motion to dismiss shall be filed by Defendant no later than December 14, 2012.

IT IS SO ORDERED.

Dated: November 2, 2012



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

TOYAN FOLAMI,

Plaintiff,

v.

INTERNAL REVENUE SERVICE et al,

Defendant.

Case Number: CV12-03474 JSW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on November 2, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Toyan Folami
1050 7th Street, #1007
Oakland, CA 94607

Dated: November 2, 2012



Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk